

1 WILLIAM A. ISAACSON (*Pro Hac Vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro Hac Vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro Hac Vice*)
(nwidnell@bsfllp.com)
4 BOIES, SCHILLER & FLEXNER LLP
5 1401 New York Ave NW, Washington, DC 20005
6 Telephone: (202) 237-2727; Fax: (202) 237-6131

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES, SCHILLER & FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
9 Telephone: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
13 700 South 7th Street, Las Vegas, Nevada 89101
14 Telephone: (702) 382-5222; Fax: (702) 382-0540

15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
16 *Ultimate Fighting Championship and UFC*

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19
20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
21 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.

Case No.: 2:15-cv-01045-RFB-(PAL)

**ZUFFA, LLC'S FIRST UNOPPOSED
MOTION TO EXTEND TIME TO
OPPOSE PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**

(First Request)

Pursuant to Federal Rule of Civil Procedure 6(b) and District of Nevada Local Rule IA 6-1(a), Defendant Zuffa, LLC (“Zuffa”) hereby files this motion for an extension of time of four days to oppose Plaintiffs’ Motion to Challenge Attorney-Client Privilege (ECF No. 320) (“Plaintiffs’ Motion). Zuffa’s opposition to Plaintiffs’ Motion is currently due on Thursday, December 29, 2016. With the four-day extension, Zuffa’s opposition would be due on January 3, 2017. This is Zuffa’s first motion or stipulation to extend time to oppose Plaintiffs’ Motion. Declaration of Stacey K. Grigsby in Support of Zuffa, LLC’s First Unopposed Motion to Extend Time to Oppose Plaintiffs’ Motion to Challenge Attorney-Client Privilege (“Grigsby Declaration”) ¶ 4. On December 27, 2016, counsel for Zuffa contacted counsel for Plaintiffs in writing regarding their position on Zuffa’s request for a four-day extension, and Plaintiffs’ counsel indicated that they would not oppose this request. Grigsby Decl. ¶ 9.

This request for an extension of time is necessitated by a number of urgent deadlines that require counsel’s immediate attention, as well as counsel’s various commitments around the intervening major holidays. Plaintiffs’ Motion was filed on December 15, 2016. *Id.* ¶ 3. Zuffa’s Opposition is due on December 29, 2016. *Id.* ¶ 5. Plaintiffs’ Reply is due on January 5, 2017. *Id.* ¶ 7. Zuffa moved to seal confidential and privileged information in Plaintiffs’ Motion on December 19, 2016. *Id.* ¶ 6. This briefing schedule encompasses two major holidays, and counsel for Zuffa is short-staffed due to prior holiday plans of the attorneys and their support staff in their offices. As a result, counsel needs a short extension of time to file the opposition to Plaintiffs’ Motion and believes that good cause exists to extend the briefing schedule by only four days. *Id.* ¶ 8.

With the New Year’s Day federal holiday to be observed on Monday, January 2, the altered briefing schedule would result in Zuffa’s Opposition being due on Tuesday, January 3, 2017 and Plaintiffs’ Response due on Tuesday, January 10, 2017. *See* Fed. R. Civ. P. 6(a)(1)(C).

1 Dated: December 27, 2016

BOIES, SCHILLER & FLEXNER LLP

2
3 By: /s/ Stacey K. Grigsby

4 Stacey K. Grigsby

5 *Attorneys for Defendant Zuffa, LLC, d/b/a*

Ultimate Fighting Championship and UFC

6 William A. Isaacson (*Pro Hac Vice*)

7 Stacey K. Grigsby (*Pro Hac Vice*)

Nicholas A. Widnell (*Pro Hac Vice*)

8 BOIES, SCHILLER & FLEXNER LLP

1401 New York Ave NW

9 Washington, DC 20005

10 Tel: (202) 237-2727

11 Fax: (202) 237-6131

Email: wisaacson@bsfllp.com

12 sgrigsby@bsfllp.com

nwidnell@bsfllp.com

13 Donald J. Campbell #1216

14 J. Colby Williams #5549

CAMPBELL & WILLIAMS

700 South 7th Street

15 Las Vegas, Nevada 89101

16 Tel: (702) 382-5222

17 Fax: (702) 382-0540

Email: djc@campbellandwilliams.com

18 jcw@campbellandwilliams.com

19 Richard J. Pocker #3568

BOIES, SCHILLER & FLEXNER LLP

20 300 South Fourth Street, Suite 800

21 Las Vegas, NV 89101

22 Tel: (702) 382-7300

23 Fax: (702) 382-2755

Email: rpocker@bsfllp.com

24 *Attorneys for Defendant Zuffa, LLC, d/b/a Ultimate*

25 Fighting Championship and UFC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Zuffa's First Unopposed Motion To Extend Time To Oppose Plaintiffs' Motion To Challenge Attorney-Client Privilege (ECF No. 320) was served on the 27th day of December, 2016 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Michael Kim
An Employee of Boies, Schiller & Flexner LLP

1 WILLIAM A. ISAACSON (*Pro Hac Vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro Hac Vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro Hac Vice*)
(nwidnell@bsfllp.com)
4 BOIES, SCHILLER & FLEXNER LLP
5 1401 New York Ave NW, Washington, DC 20005
Telephone: (202) 237-2727; Fax: (202) 237-6131
6

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES, SCHILLER & FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
9 Telephone: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
13 700 South 7th Street, Las Vegas, Nevada 89101
Telephone: (702) 382-5222; Fax: (702) 382-0540
14

15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
Ultimate Fighting Championship and UFC
16

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA
19

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
Vera, Luis Javier Vazquez, and Kyle
21 Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.
27
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF ZUFFA,
LLC'S FIRST UNOPPOSED MOTION TO
EXTEND TIME TO OPPOSE
PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am an attorney admitted to practice before the courts in the states of New York
3 and the District of Columbia and am admitted Pro Hac Vice to practice before this Court. I am
4 Counsel in the law firm Boies, Schiller & Flexner LLP, and counsel to Defendant Zuffa, LLC
5 (“Zuffa”) in this case.

6 2. I make this declaration in support of Zuffa, LLC’s First Unopposed Motion to
7 Extend Time to Oppose Plaintiffs’ Motion to Challenge Attorney-Client Privilege (ECF No. 320)
8 (“Motion”).

9 3. Plaintiffs filed their Motion to Challenge Attorney-Client Privilege (“Plaintiffs’
10 Motion”) on December 15, 2016 at ECF No. 320.

11 4. This Motion is Zuffa’s first motion to extend time regarding Plaintiffs’ Motion.

12 5. On the current briefing schedule, Zuffa’s Opposition to Plaintiffs’ Motion is due
13 on December 29, 2016.

14 6. Zuffa filed its Motion to Seal certain exhibits to and portions of Plaintiffs’ Motion
15 on December 19, 2016 at ECF No. 324.

16 7. On the current briefing schedule, Plaintiffs’ Reply to Zuffa’s Opposition to
17 Plaintiffs’ Motion is due on January 5, 2017.

18 8. The current Opposition and Reply briefing schedule include three major holidays
19 (Hanukkah, Christmas, and New Year’s Days), which resulted in counsel for Zuffa being short-
20 staffed due to the prior plans of the attorneys and the support staff in their offices.

21 9. On December 27, 2016, I contacted Kevin Rayhill, counsel for Plaintiffs, and the
22 attorney responsible for filing Plaintiffs’ Motion by email and inquired whether Plaintiffs will
23 oppose this motion. Mr. Rayhill responded that Plaintiffs would not oppose this request.

24 I declare under penalty of perjury under the laws of the United States of America that the
25 foregoing facts are true and correct. Executed this 27th day of December, 2016, in Washington,
26 DC.

27 /s/ Stacey K. Grigsby
28 Stacey K. Grigsby

1 WILLIAM A. ISAACSON (*Pro Hac Vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro Hac Vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro Hac Vice*)
(nwidnell@bsfllp.com)
4 BOIES, SCHILLER & FLEXNER LLP
5 1401 New York Ave NW, Washington, DC 20005
Telephone: (202) 237-2727; Fax: (202) 237-6131
6

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES, SCHILLER & FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
9 Telephone: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
13 700 South 7th Street, Las Vegas, Nevada 89101
Telephone: (702) 382-5222; Fax: (702) 382-0540
14

15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
Ultimate Fighting Championship and UFC
16

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA
19

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
Vera, Luis Javier Vazquez, and Kyle
21 Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.
27
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**[PROPOSED] ORDER GRANTING
ZUFFA, LLC'S FIRST UNOPPOSED
MOTION TO EXTEND TIME TO
OPPOSE PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320)**

[PROPOSED] ORDER

Pending before this Court is Zuffa, LLC's First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege (ECF No. 320). Having considered Zuffa, LLC's (Zuffa's) First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege (ECF No. 320), and for good cause shown:

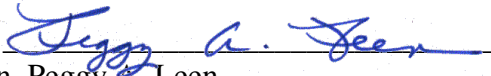
IT IS HEREBY ORDERED THAT Zuffa, LLC's First Unopposed Motion to Extend Time to Oppose Plaintiffs' Motion to Challenge Attorney Client-Privilege is GRANTED.

Zuffa's Opposition to Plaintiffs' Motion to Challenge Attorney Client-Privilege is due on Tuesday, January 3, 2017.

Plaintiffs' Response to Zuffa's Opposition is due on Tuesday, January 10, 2017.

IT IS SO ORDERED.

DATED: January 9, 2017

By: 
Hon. Peggy A. Leen
UNITED STATES MAGISTRATE JUDGE